

AMENDMENT TO THE DRAWING

Replacement sheets are provided for FIGs. 3, 4, 5A, 6A, 7A and 8 pursuant to the objection raised by the Office Action on pages 2-3.

REMARKS

By this amendment, claims 1-14 are pending, in which claims 1-6 are currently amended, and claims 8-14 are newly presented. No new matter is introduced.

The Office Action mailed April 6, 2006 rejected claims 1-2 under 35 U.S.C. § 102 as anticipated by *Mills et al.* (Pub. No. US 20030035037 A1), claims 3-7 as obvious under 35 U.S.C. § 103 based on *Mills et al.* Additionally, claims 5-7 were objected because of informalities.

In response to the objection, Applicant has amended independent claims 1 and 5 according to the Examiner's helpful suggestions, and thus, submits that the objection is overcome.

In the interest of advancing prosecution, Applicant has amended independent claim 1 to recite "a plurality of light emitting diode (LED) elements **arranged in adjacent columns and rows**, the LED elements including a plurality of first-wavelength LED elements and a plurality of second-wavelength LED elements, **said first-wavelength LED elements and said second-wavelength LED elements being arranged alternately.**"

By contrast, *Mills et al.* discloses, in the FIG. 9A (102-1, 102-2), two single columns of LEDs arranged one either side of carriage 18b. Moreover, these columns do not employ "**first-wavelength LED elements and said second-wavelength LED elements being arranged alternately.**"

As anticipation under 35 U.S.C. §102 requires that each and every element of the claim be disclosed in a single prior art reference, it is clear that *Mills et al.* fails to teach the features of amended independent claim 1. Therefore, Applicant respectfully requests the indication that claim 1 is allowed, along with claim 2 depending therefrom.

As regards to the obviousness rejection of claim 3-7 over *Mills et al.*, the Office Action acknowledges that the features of these claims are not disclosed. Nevertheless, the Examiner argues that such features are taught “[t]aking into account the totality of these teachings [within *Mills et al.*].” Such rationale suggests that the Examiner is using “common knowledge” to fill in the gaps of the *Mills et al.* reference. However, the Examiner’s assertion is insufficient as a matter of law, because such conclusory statements, premised on “common knowledge and common sense,” fail to fulfill requirements of the Administrative Procedure Act, *In Re Sang Su Lee*, No. 00-1158 (Fed. Cir. Jan. 18, 2002), and that deficiencies of the cited references cannot be remedied by general conclusions about what is “basic knowledge” or “common sense.” *In Re Zurko*, 258 F.3d at 1385, 59 USPQ2d at 1697. To the extent the Examiner is taking Official Notice, pursuant to the MPEP § 2144.03, Applicant respectfully traverses the Official Notice and requests the Examiner to produce references showing the claim features or withdraw the rejection as factually inadequate.

Further, the Examiner has ignored certain claim language, focusing only on the *Mill et al.* system’s use of low energy UV radiation and the higher energy UV radiation (page 7 of the Office Action). For example, claim 4 (which includes the feature of “first-wavelength LED elements and second-wavelength LED elements are **alternatively arranged** in said moving direction” – now incorporated, in part, into claim 1). The *Mill et al.* reference provides no suggestion that LED elements can be arranged in the manner claimed. Moreover, common knowledge of one of ordinary skill in the art would not even suggest this level of detail.

Therefore, a *prima facie* case of obviousness has not been made.

Turning to newly added claims 8-14, independent claim 8 recites “a printer head configured to eject ink; a first set of light emitting diode (LED) elements including LED elements of a first wavelength; and a second set of light emitting diode (LED) elements including

LED elements of a second wavelength, wherein at least one of the first set of LED elements is adjacent to at least one of the second set of LED elements, the first set of LED elements and the second set of LED elements being disposed near the printer head.” These features are absent from the applied art. Claims 9-11 depend, either directly or indirectly from independent claim 8. Claim 9 recites “wherein the LED elements of the first wavelength of and the LED elements of the second wavelength are arranged in an alternating pattern.” Claim 10 recites “wherein the alternating pattern includes a checkered pattern.” Claim 11 includes the features of “wherein the first wavelength is shorter than the second wavelength, the first set of LED elements being disposed closer to the printer head than the second set of LED elements.”

New independent claim 12 is also patentably distinguishable over the *Mill et al.* reference. Specifically, claim 12 recites “a printer head configured to move along a main scanning direction and a secondary scanning direction; a first group of light emitting diode (LED) elements abutting one side of the printer head; a second group of LED elements abutting another side of the printer head, wherein the first group and the second group are arranged along the secondary scanning direction; and a third group of LED elements disposed near the printer head and arranged along the main scanning direction.” New claims 13 and 14 depend from claim 12, wherein claim 13 recites “wherein each of the LED elements in the first group and the second group is configured to emit light at a first wavelength, and the LED elements of the third group is configured to emit light at a second wavelength, the first wavelength being different from the second wavelength.” Claim 14 recites “wherein the first wavelength is shorter than the second wavelength.”

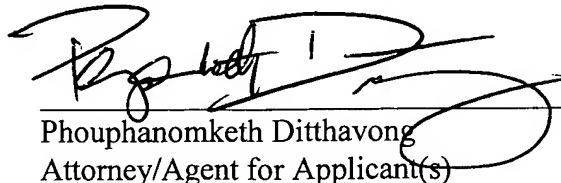
Therefore, the present application, as amended, overcomes the objections and rejections of record and is in condition for allowance. Favorable consideration is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the

undersigned attorney at (703) 425-8508 so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

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Date


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